

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DINA MANIS, CITY CLERK
SUBJECT: SB 707 RELATED COUNCIL ACTIONS

AGENDA ACTION: RESOLUTIONS AND ORDINANCE INTRODUCTION

RECOMMENDATION

The City Clerk's and City Attorney's Offices recommend that the Council take the following actions related to Senate Bill (SB) 707 - Brown Act updates: 1) by resolution, amend the City Council Manual of Procedures and Protocols (CCMPP); 2) by resolution, adopt Council Policy entitled "Internet and Telephonic Service Disruption Policy for City Council Meetings"; 3) by resolution, amend Council Policy 000-20 entitled Citizen Participation; and 4) introduce an ordinance entitled Ordinance of the Council of the City of Santa Rosa to amend Chapter 1-10 – Open Government, Sections 1-10.030, 1-10.040, 1-10.060, 1-10.070 of the Santa Rosa City Code related to SB 707 Brown Act Updates. This item has no impact on current fiscal year budget.

EXECUTIVE SUMMARY

This item requests Council take various actions based on SB 707, which made significant updates to the Brown Act. Council is required to adopt an Internet and Telephonic Service Disruption Policy, and staff recommends amendments to existing policies and Santa Rosa City Code for operational and procedural alignment with new Brown Act requirements.

GOAL

This item is related to **Goal #1 - Achieve and Maintain Fiscal Sustainability and Budgeting Excellence** and **Goal #4 - Foster a Safe, Healthy, and Inclusive Community** as the expanded new Brown Act requirements have a direct impact on the inclusion of community members in local government decision-making processes and must be implemented with limited staff resources.

BACKGROUND/PRIOR COUNCIL REVIEW

In 2025, Senate Bill (SB) 707 was adopted. The bill made significant changes to the Brown Act (Attachment 1) to increase participation opportunities at certain local

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 2 OF 8

legislative body meetings and modernize rules to reflect advances in technology. Some provisions became effective January 1, 2026, and others will take effect on July 1, 2026.

Prior Council Review:

- March 10, 2026 - Study session on SB 707 – Brown Act updates where Council gave direction on necessary policy adoption, amendments, and repeals, and amendments to the Santa Rosa City Code.
- April 21, 2026 - Council adopted Council Policy 000-76 entitled “Reasonable Accommodation for Council and Board/Commission Members” and repealed outdated Council Policy 000-34 entitled “Citizen Public Appearances and Addressing the Council on Agenda Items” as part of the SB 707 – Brown Act Update implementation.

ANALYSIS

Based on direction given by Council at the March 10, 2026, regular Council meeting, staff recommends that Council take the following action to further implement SB 707 – Brown Act Update.

I. Disruptive Behavior by the Public During Brown Act Meetings

The Brown Act now captures the presiding officer’s authority to address disruptive behavior by members of the public during Brown Act meetings and now explicitly applies the same rules to members of the public participating remotely that apply to those attending in person. The presiding officer has authority to remove or limit participation after a notice and warning. In instances of violence or a threat of violence, a notice and a warning are not required.

Recommendation: Staff recommends Council by resolution amend the City Council Manual of Procedures and Protocols (CCMPP) §I.H – Disruptions and §V. G – Decorum and Order, Audience (Attachment 2) to reflect these clarifications. Council affirmed this recommendation during the March 10, 2026, study session.

II. Teleconferencing Provisions

SB 707 maintained the two primary ways for members of legislative bodies to participate remotely under the Brown Act, and specified rules for remote meetings held during a state or local declaration of emergency. All remote options are now called “teleconferencing” under the new Brown Act provisions.

Traditional Brown Act Teleconferencing: The rules for participating under the traditional teleconferencing rules – where a member’s remote location must be listed on

the agenda and open for in-person public participation -- have not changed.

Just Cause Teleconferencing: The prior rules for participating remotely for just cause or personal emergency circumstances have been simplified and expanded. “Emergency circumstances” are now consolidated into the “just cause” provisions. Members of Brown Act bodies may participate under the new “just cause” provisions in any of the following circumstances:

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person.
- A need related to a physical or mental condition for which there is no remote participation accommodation in place.
- Travel while on official business of the legislative body or another state or local agency.
- **New: An immuno-compromised family member**
- **New: A physical or family medical emergency**
- **New: Military service preventing in-person attendance.**

The requirements for participating under “just cause” have not changed, but the minutes must identify the specific provision that each member relied upon to participate remotely for just cause.

Recommendation: Staff recommends Council introduce an ordinance to amend SRCC §1-10.070 – Minutes (Attachment 3), to align with new Brown Act provisions that require additional detail to be included in the minutes related to remote participation. Council affirmed this recommendation during the March 10, 2026, study session.

III. Mandatory Option for Remote Public Attendance/Comment at City Council Meetings

Effective July 1, 2026, Council will be required to include an option for the public to attend and participate remotely in **all City Council meetings** (with narrow exceptions) through either (1) a two-way telephonic service and live web streaming of the meeting or (2) a two-way audiovisual platform (public comment may be provided by audio only). **This requirement does not apply to other City legislative bodies.** Remote speakers must receive the same time allotment as in-person speakers and procedures must be consistent with standard public comment rules.

Operational impacts of this provision may include:

- Extended Council meeting length due to increased remote participation.
- Additional support for Council meetings from City Clerk staff to facilitate remote public comment for meeting efficiency.

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 4 OF 8

- Additional support for Council meetings from Information Technology related to cyber security concerns and overall technology and media support.
- Additional administrative costs related to coordination of certain types of offsite Council meetings where no exception for remote public comment applies.
- Due to anticipated increase in remote public participation, additional City Clerk staff time to capture public comment summary for each speaker for inclusion in minutes.

The CCMPP (Attachment 2) outlines public comment procedures for Council meetings and references Council Policy 000-34 - Citizen Public Appearances and Addressing the Council on Agenda Items which was repealed by Council on April 21, 2026, as requirements have since been memorialized and/or strengthened in the CCMPP or SRCC §1-10 on Open Government.

Recommendation: Staff recommend Council amend the following within the CCMPP:

- **§ II.E – Public Comments on Agenda Items**, and both the first and second **Public Comments on Non-agenda** Matters – to provide the Presiding Officer discretion to set public comment time allotments at no more than 3 minutes and no less than one minute speaker in light of the anticipated increase in the number of commenters with the new remote public participation requirements for Council meetings.
- **§ IV.B – Right to Address Council** - to correct previous clerical errors, remove reference to repealed Council Policy 000-34, and add a reference to SRCC §1-10.060 – Public Access and Comment.
- **§IV.D – Manner of addressing Council** – to update process for further alignment with SRCC §1-10, recognize and identify process for remote participants, and modernize and simplify speaker card language.

Additionally, staff recommends Council introduce an ordinance to amend SRCC §1-10.070 – Minutes, to simplify public comment summary requirements in light of the anticipated additional public comment with the new remote public participation requirements for Council meetings, the substantial amount of staff time required to comply with the current summary requirements, and the availability of video for those wishing to understand the content of a commenters' comments. Council affirmed this recommendation during the March 10, 2026, study session.

IV. Adoption of Internet and Telephonic Service Disruption Policy for City Council Meetings (Attachment 4)

Part 1 – Effective July 1, 2026, Council must adopt a policy to address disruption of telephone or internet services during a Council meeting to implement new provisions of the Brown Act. These provisions permit Council to proceed with a meeting notwithstanding a disruption in internet or telephone services if Council makes findings, after recessing for at least one hour to allow staff to attempt to restore services, that

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 5 OF 8

there is good cause to proceed with the meeting. The policy must describe procedures for recessing, reconvening, and attempting to restore service and may not be adopted on the consent calendar.

During the March study session, staff recommended Council adopt a new Internet and Telephonic Service Disruption Policy for City Council as required and amend SRCC §1-10.040 Broadcast for alignment with the new policy. Council affirmed this recommendation.

Part 2 - Staff also recommended Council amend **SRCC §1-10.030 – Interpretation** requirements for Council Meetings to allow for meetings to proceed if Spanish interpretation services are disabled in Council chamber with an internet/telephone service disruption and staff had undertaken good faith efforts to restore the disruption. Currently, the City's Spanish interpretation service provider participates remotely through internet connection for remote and in-person participants at regular City Council meetings.

Council gave direction to staff to explore leveraging bilingual City staff receiving bilingual pay for interpreter services during an internet/telephonic service disruption. Human Resources evaluated this option and determined it would not be appropriate for City staff to provide occasional interpretation services at City Council meetings for the following reasons:

- **Interpretation is a specialized, certified profession requiring specific training and licensure; assigning this work to existing staff raises compliance, quality control, and liability risks if information is misinterpreted.**
- **Adding interpretation duties would fundamentally alter the scope of affected positions, requiring new job classifications, recruitment standards, and pay ranges; a modest differential would not be appropriate given the professional requirements.**
- **Equity and consistency concerns arise if interpretation responsibilities vary by department or individual staff capacity, creating uneven expectations and workloads.**
- **Use of qualified, certified interpreters ensures accuracy, neutrality, consistency, and appropriate risk management across the organization.**

Some Council members also expressed concerns about the proposed amendment to SRCC allowing for an interpretation service disruption exception and suggested this exception may undo the intent of past Council's efforts towards improving accessibility and participation. Other Council members suggested that allowing Council to decide on a case-by-case basis to proceed with time-sensitive items during such disruptions would be appropriate.

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 6 OF 8

Staff has strengthened the recommended amendment language for SRCC §1-10.030 to provide guardrails against excessive use of the interpretation exception and the amendment as currently drafted now recommends that Council may reconvene the meeting without language interpretation services to hear only any remaining time-sensitive agenda items after making findings similar to the findings required to continue the meeting without internet service also set forth in SRCC §1-10.030.

Additionally, both SRCC §1-10.030 and the proposed Internet and Telephonic Service Disruption Policy for City Council have communications and outreach requirements by the Communications and Intergovernmental Relations Office (CIRO) in English, Spanish, or other languages as applicable under SRCC §1-10, related to actions taken by Council during meetings where language interpretation service disruption occurred due to internet/telephone disruption.

CIRO will have discretion on communication and outreach methods but should include a brief summary specifying what action was taken during and shared across various communication platforms like GovDelivery Council meeting subscribers (or similar notification system), City Connections newsletter, or social media.

Recommendation: Staff recommends Council adopt a new Internet and Telephonic Service Disruption Policy for City Council Meetings as required and introduce an ordinance to amend SRCC § 1-10.030 – Interpretation and SRCC § 1-10.040 – Broadcast for alignment with Internet and Telephonic Service Disruption Policy for City Council Meetings.

V. Outreach to Underrepresented and Non-English-Speaking Communities to Encourage Participation in Council Meetings

Council is required to make reasonable efforts to encourage participation by groups that do not traditionally participate in meetings. Examples include engaging with civic, neighborhood, and community organizations.

As presented in March, Council has a history of making considerable efforts to encourage underrepresented and non-English speaking community members to participate in Council meetings, in part shown by outreach and participation policies dating back to 1987, including Council Policy 000-20 – Citizen Participation (Attachment 5), and in SRCC §1-10 – Open Government, which exceed even the newer Brown Act provisions.

Recommendation: Staff recommends Council amend CP 000-20 as it has not been updated since adoption to modernize language and align with current organizational structure and operations.

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 7 OF 8

FISCAL IMPACT

Approval of this action does not have an immediate fiscal impact on the General Fund as one-time funds of \$50,000 for translation/language services were appropriated in a previously adopted budget. However, additional funds may be required for future costs related to language access needs, council meeting staffing resources, and technology necessary to support the new provisions. Staff will return in the future should additional funds be needed.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, the recommended action is not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the recommended action is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the recommended action may have a significant effect on the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not Applicable.

NOTIFICATION

Not Applicable.

ATTACHMENTS

- Attachment 1 – Brown Act Full Text
- Attachment 2 – City Council Manual of Procedures and Protocols – Redlines
- Attachment 3 – SRCC 1-10 – Redlines
- Attachment 4 – Internet and Telephonic Service Disruption Policy for City Council Meetings
- Attachment 5 – CP 000-20 Citizen Participation – Redlines
- Resolution 1/Exhibit A – City Council Manual of Procedures and Protocols
- Resolution 2/Exhibit A – Council Policy Entitled Internet and Telephonic Service Disruption Policy for City Council Meetings
- Resolution 3/Exhibit A – CP 000-20 Citizen Participation
- Ordinance

SB 707 ACTIONS – ADOPT COUNCIL POLICY ENTITLED INTERNET AND
TELEPHONIC SERVICE DISRUPTION FOR CITY COUNCIL MEETINGS AND
RELATED POLICY AND SRCC CODE AMENDMENTS
PAGE 8 OF 8

PRESENTER(S)

Dina Manis, City Clerk

Teresa Stricker, City Attorney

Brian Tickner, Chief Information Officer – Information Technology

Misti Wood, CIRO

Dominique Blanquie, Human Resources Director